

**PATENT**  
068167.0105

Pursuant to 37 C.F.R. 1.8, I hereby certify that I have information and a reasonable basis for belief that this correspondence will be transmitted to the U.S. Patent and Trademark Office by facsimile to facsimile number (703) 308-6916 on April 3, 2002.

*[Signature]*  
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1-3-02  
Date

**FAX RECEIVED****'APR - 3 2002****PETITIONS OFFICE****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Traut, Eric P.

Serial No.: 09/747,492

Filed: December 21, 2000

Invention: System and Method for the Logical §  
Substitution of Processor Control in §  
an Emulated Computing §  
Environment §

Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

Group No.: 2123

Examiner: Not Yet Assigned

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
PATENT APPLICATION — ABANDONMENT FOR FAILURE  
TO NOTIFY OF FOREIGN FILING  
(37 C.F.R. 1.137(f))**

1. The above-referenced application was filed on December 21, 2000. Included with the application at the time of its filing was a Request for Nonpublication, which was acknowledge by the Office.

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2. On December 19, 2001, a patent application directed to the invention disclosed in the above-referenced application was filed under the Patent Cooperation Treaty, which is a multilateral international agreement that requires publication within eighteen months after filing.

3. On December 19, 2001, a Recision of Request for Nonpublication was filed in the above-referenced application. Although the Recision of Request for Nonpublication expressly requested that the previous Request for Nonpublication be rescinded, the Recision of Request for Nonpublication did not include an express notification that the invention of the above-referenced application had been submitted under a multilateral international agreement that requires publication within eighteen months after filing. See 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c). A copy of the Recision of Request for Nonpublication, together with a copy of the stamped post card is attached hereto.

4. More than 45 days have passed since the filing of the application under the Patent Cooperation Treaty.

5. If the above-referenced application is determined to be abandoned by the passage of 45 days from the date of the filing of the application under the Patent Cooperation Treaty without the filing of the notice required under 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c), please allow this paper to serve as a petition to revive the unintentionally abandoned patent application.


6. The failure to file the notice required under 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c) and any delay in the filing of the notice was unintentional. A notice under 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. 1.213(c) is included herewith.

7. The Office is authorized to charge deposit account no. 02-0383 of Baker Botts L.L.P. the fee associated with the filing of this petition. The petition fee of \$640.00 is set out in 37 C.F.R. 1.17. Small entity status has been established in this application.

8. Because this application was filed after June 8, 1995, a terminal disclaimer need not be accompany this petition.

9. If it is determined by the Office that the filing of this petition is unnecessary because the application has not gone abandoned, applicant requests that the Office notify applicant of this finding and charge applicant's deposit account, referenced above, for the fee necessary for the handling of this petition.

Respectfully submitted,

  
\_\_\_\_\_  
Roger Fulghum  
Registration No. 39,678

Baker Botts L.L.P.  
One Shell Plaza  
910 Louisiana  
Houston, TX 77002-4995  
(713) 229-1707  
Attorney Docket No.: 068167.0105

Date: April 3, 2002

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DAVID BOTTIS, JR.

**DOCKETED**

Papers filed herewith on: 12-19-01  
 DOCKET NO.: 0681670105  
 ATTY/SEC.: RE/ab  
 APPLICANT(S): TRAUT  
 USSN: 091747492 FILED: 12-21-00  
 PATNO.: \_\_\_\_\_

☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ Provisional  
☐ Filing Under 37 CFR 1.63(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Filing Under 37 CFR 1.53(d) (CPA) & \_\_\_\_\_ pages  
☐ Specification Consisting \_\_\_\_\_  
☐ Declaration  
☐ Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Drafterman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☐ Priority Document(s) \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transm Ltr ☐ Large Entity ☐ Small Entity  
☐ Response \_\_\_\_\_  
☐ Information Discd Stmt. PTO-1449(s) \_\_\_\_\_ ref(s)  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal  
☐ FEES: \_\_\_\_\_  
☒ Other: Recession of Reg. for Nonpubl

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case. COMMISSIONER FOR PATENTS

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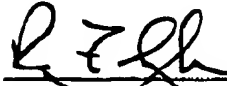
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**Signature**

Date \_\_\_\_\_

Respectfully submitted,



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Date: April 3, 2002

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Date of Deposit with Express Mail: December 19, 2001 PETITIONS OFFICE

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